

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LARRY BESS, JR.,

Plaintiff,

No. CIV S-03-2498 GEB DAD P

vs.

EDWARD ALAMEIDA, JR., et al.,

Defendants.

ORDER

Plaintiff is a state prisoner proceeding pro se and in forma pauperis with a civil rights action seeking relief under 42 U.S.C. § 1983. Plaintiff has requested an extension of time to file and serve an opposition to defendants' January 25, 2007 motion for summary judgment.

Good cause appearing, plaintiff's request for extension of time will be granted.

Plaintiff has also filed a motion in limine in which he requests a ruling on whether evidence of his prior conviction will be admissible at trial. Plaintiff is advised that motions in limine are trial motions. If there are claims that remain in this action after the district court rules on all timely filed pretrial motions, the undersigned will hold a pretrial conference and issue a pretrial order that sets a deadline for the filing of motions in limine. Plaintiff's motion in limine now before the court is premature and will be denied without prejudice to the filing of a renewed motion at a later time.

1 Plaintiff has also filed a motion requesting a protective order. On May 15, 2006,
2 defendants filed a response in opposition to plaintiff's May 9, 2006 motion. Plaintiff has not
3 filed a reply to defendants' response. Plaintiff's request concerned a potential witness. Based
4 upon defendants' response, it appears plaintiff's request is now moot. Therefore, the court will
5 deny plaintiff's request for a protective order.

6 Accordingly, IT IS HEREBY ORDERED that:

- 7 1. Plaintiff's February 9, 2007 request for an extension of time is granted;
8 2. Plaintiff shall file and serve an opposition to defendants' January 25, 2007
9 motion for summary judgment on or before March 22, 2007. Defendants' reply, if any, shall be
10 filed seven days thereafter;
11 3. Plaintiff's January 30, 2007 motion in limine is denied without prejudice; and
12 4. Plaintiff's May 9, 2006 request for a protective order is denied.

13 DATED: February 14, 2007.

14 
15 _____
16 DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

17 DAD:9
18 bess2498.36(2)mlpo
19
20
21
22
23
24
25
26